

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GEORGE JARVIS AUSTIN, Plaintiff
(*CA Business Invitee, Customer, or Client*),

RESPONSE: Forthcoming SAC In accord with order honor of the Civil Rights Act of 1964; (5 Years after passage of CA's 1959 Unruh Act & in honor of Unruh Act as well); Full filing fee paid on site.

v.

ABC LEGAL SERVICES, LLC (202002910199; *per California Secretary of State.*)), et. al.
Defendants (*Prospective Injunctive Relief only for these defendants; Susan Illston, Donna Ryu, Trina Thompson, Edward Chen, Richard Seeborg, Saundra Brown Armstrong, Maxine M. Chesney, Alex G. Tse, William Alsup, Edward J. Davila, Rita F. Lin & Yvonne Gonzales Rogers*).

Case No. 3:24-cv-04185-WHO Austin v. ABC Legal Services, LLC

George Jarvis Austin, Plaintiff (Self-represented)
2107 Montauban Ct., Stockton, CA
209.915.6304,
georgejarvisaustin@gmail.com

Note: Mr. George Jarvis Austin is an *injured* Black male Self Represented Northern District, Ninth Circuit, Litigant, filing complaint(s) about ABC Legal's ongoing 1. 42 USC 1981, Equal Protection, Due Process 2. Unruh Act 3. False Advertising Section 43(a) of the Lanham Act 4. Deceit, False Promises, Misrepresentations, Omissions and Actual Fraud (with Malice) 5. Negligence violations of his rights ; As a Pro Se Litigant, and individual person, Mr. Austin upholds, and reminds of California licensed Legal Service Provider, ABC Legal's, ongoing duty, of non-discriminatory, Due Process and Equal Protection affirming, service for all people, especially those expressly listed classes of persons (I.e. Black men) of the 13th, 14th, and 15th Amendments throughout the litigation, or settlement, phases of this legal process with \$5-\$10 million *minimum* Demand depending on structure, context and timing).

NOTE: Mr. Austin's (Plaintiff's, self-represented with limited resources) technology is not currently allowing the showing of line numbering although he has repeatedly attempted to correct the technological issue (it is unintentional, and shall be corrected as soon as able) Erickson v. Pardus, 551 U.S. 89, 94 (2007)) "a pro se complaint, .. must be held to less stringent standards than formal pleadings drafted by lawyers.")

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**RESPONSE: TO MOTION AMENDED COMPLAINT PER JUDGES ORDER
 WILL ANSWER ISSUES RAISED DIRECTLY.**

1. Mr. Austin's claims, forthcoming amended complaint, and ongoing efforts to correct ABC Legal's per se illegal "blatant" violations of Mr. Austin's 1981 rights to contract (as well as other violations) are 1. Substantive 2. Factual 3. Precedent Supported and in Good Faith. Mr. Austin's Amended Complaint will address the issues raised per motion. Mr. Austin acknowledges Judge Orrick's order to Amend the Complaint to provide additional details on the facts in relation to the US Supreme Court's *General Building Contractors Assn., Inc. v. Pennsylvania*, and *Comcast Corp. v. Nat'l Ass'n of African Am.-Owned Media*, standards of demonstrated racial animus under sec. 1981, and description of "*blatant deprivation of civil rights such as where a private offeror [in this case ABC Legal] refuses to extend to [an African-American, in this case Mr. Austin], because he is an [African-American], the same opportunity to enter into contracts he extends to White offerees [in this case non-Black, or White litigants, customers, business invitees].*" See e.g. *Comcast Corp. v. Nat'l Ass'n of African Am.-Owned Media*, 140 S. Ct. 1009, 1016 (2020):

("in *General Building Contractors Assn., Inc. v. Pennsylvania* , 458 U.S. 375, 102 S.Ct. 3141, 73 L.Ed.2d 835 (1982), the Court explained that § 1981 was "designed to eradicate blatant deprivations of civil rights," such as where "a private offeror refuse[d] to extend to [an African-American], ... because he is [an African-American], the same opportunity to enter into contracts as he extends to [W]hite offerees." *Id.* , at 388, 102 S.Ct. 3141").

2. In accord with Judge Orrick's order to add additional detail on ABC Legal's *ongoing* refusal to offer service of process contracts, or make contracts, with Mr. Austin because he is a Black male litigants-offerees, on the same basis as non-Black male, or White, litigants-offerees Mr. Austin will add those additional details in the forthcoming Amended Complaint (SAC) within 20 calendar days, inclusive.

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3. Lastly Mr. Austin will Amend the complaint to an abbreviate more pointed version, in accord with Judge Orrick’s order to Amend the SAC, to ensure ‘comprehension’ and ‘literacy’ of the operative facts of this case, which Under the Supreme Court’s controlling precedent triggers per se legal liability for ABC Legal because ABC Legal’s conduct is a *“blatant deprivation of civil rights such as where a private offeror [in this case ABC Legal] refuses to extend to [an African-American, in this case Mr. Austin], because he is an [African-American], the same opportunity to enter into contracts he extends to White offerees [in this case non-Black, or White litigants, customers, business invitees].”* See e.g. Comcast Corp. v. Nat’l Ass’n of African Am.-Owned Media, 140 S. Ct. 1009, 1016 (2020): Per ABC Legal’s continued, ongoing, *“negative”* use of race or derogatory (anti-Black male) stereotypes to deprive access, service, and the right to “make and enforce” ABC Legal Services, LLC service of process contracts as a customer, Mr. Austin will amend the highlighted facts, and complaint, within an abbreviated, more pointed-concise format, *as requested in the spirit of service to the public*, in the forthcoming Amended Complaint (SAC) within 20 calendar days, inclusive.

4. For additional context, pre-amended complaint, see attached: [55](#), [57](#), [58](#), [59](#), [60](#), [61](#), [62](#).

Signed, Under Penalty of Perjury.

“I, Mr. George Jarvis Austin, declare, certify, verify, or state, under penalty of perjury under the laws of the United States of America, and California, that the foregoing specific, numbered , declarations of precise facts, cross referenced with filings-documents on the record, are true and correct (and as I Mr. Austin personally experienced).”

s/ George Jarvis Austin 10.30.24